

**TROY GERMAN,  
PLAINTIFF, V. BRIAN  
ORR, DEFENDANT  
WDOK 19-CV-751-F  
MOTION EXHIBITS FOR  
DEFENDANT ORR'S  
MOTION FOR SUMMARY  
JUDGMENT**

**EXHIBIT 11 – HARRELL  
STATEMENT**



Oklahoma Department of Public Safety  
**Oklahoma Highway Patrol**  
**SUPPLEMENTAL FORM**

☒ OHP Investigation  
☐ Agency Assist

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TITLE OF REPORT

**COLONEL MICHAEL S. HARRELL STATEMENT**

On Tuesday, August 21, 2018, in the early afternoon hours, LT TROY GERMAN and MAJ JACK MCCOY were called to the office of COL MICHAEL S. HARRELL, Chief of Patrol, to address an issue of insubordination regarding the disregard of a direct order to keep certain information disseminated in a CUB meeting held on Monday, August 13, 2018, as confidential. LT COL RUSSELL MAPLES and LT COL JAMES WILSON were also present. During that meeting, GERMAN was confronted by HARRELL about his dishonesty. Although GERMAN denied receiving the confidential information from MCCOY, or disseminating said information to others, HARRELL made it clear to GERMAN that HARRELL did not believe the assertion by GERMAN.

Subsequently, HARRELL learned that GERMAN had gone to the office of COMMISSIONER RUSTY RHOADES later the same afternoon and confronted RHOADES with an allegation about impropriety regarding a telephone conversation between HARRELL and CPT BRIAN ORR that had supposedly taken place while RHOADES was transporting himself and HARRELL to an official function outside the Oklahoma City metropolitan area on an earlier date.

On Tuesday, November 13, 2018, at approximately 1500 hours, HARRELL was approached by GENERAL COUNSEL MEGAN SIMPSON, who informed HARRELL that GERMAN had met with a staff member of PRESIDENT PRO TEMPORE GREG TREAT, Oklahoma Senate, and informed TREAT of alleged improprieties by RHOADES and HARRELL of which GERMAN claimed to have knowledge. TREAT told former TRP CHIP KEATING, who in turn called RHOADES at approximately 1330 hours on November 13th. RHOADES then told SIMPSON that GERMAN had initiated an extortion scheme beginning at the meeting in RHOADES'S office on August 21st, continuing forward with multiple meetings demanded by GERMAN over the ensuing months. SIMPSON further told HARRELL that GERMAN was alleging that HARRELL had engaged in an improper conversation with ORR by giving ORR the specific questions and answers to the oral boards associated with promotion from lieutenant to captain. SIMPSON informed HARRELL that GERMAN further stated this conversation occurred in a vehicle being driven by RHOADES at a time the two men were traveling to or from a location outside the Oklahoma City metropolitan area.

After SIMPSON told HARRELL about the allegation made by GERMAN, and the extortion scheme, RHOADES met with HARRELL. RHOADES told HARRELL that GERMAN had initially met with RHOADES on August 21st, immediately following the meeting with HARRELL and the other previously listed participants, and levied the allegation to

INVESTIGATING TROOPER	BADGE #	TROOP	COUNTY	AGENCY CASE #	DATE OF REPORT
COL MICHAEL HARRELL	3	HQ	OKLAHOMA	18-0631CI	12/07/2018

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**COLONEL MICHAEL S. HARRELL STATEMENT**

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RHOADES. GERMAN told RHOADES the allegation would be made public if RHOADES did not assist GERMAN in securing a gubernatorial appointment as Director of the Oklahoma Department of Emergency Management, a statewide agency under the umbrella of the Secretary of Safety and Security, a position held by RHOADES. RHOADES said GERMAN continued to demand that RHOADES meet with GERMAN at off campus locations, and escalated his demands to include either an appointment as OEM Director or promotion to a command staff position at the rank of Major. RHOADES told HARRELL at the last off campus meeting, GERMAN handed RHOADES a typewritten piece of paper on which GERMAN had created a timeline by which RHOADES would effectuate a promotional process for the rank of Major.

On November 19, 2018, HARRELL and RHOADES met with CPT JASON HOLT, Troop Z, and informed HOLT of the actions initiated by GERMAN regarding the extortion and blackmail scheme. HARRELL told HOLT that HARRELL had consistently mentored troopers at various rank levels who represented the values consistent with the desired administrative direction moving forward. HARRELL said ORR had been identified as one of those individuals by HARRELL and RHOADES through prior conversation. HARRELL said he recalled ORR speaking with RHOADES on the telephone during a car ride, but could not recall the exact date and time of the trip, or where the two men were going at the time. HARRELL stated RHOADES was already engaged in conversation with ORR, so HARRELL asked to speak with ORR when RHOADES was finished. HARRELL knew ORR had begun the general promotional process from Lieutenant to Captain. At the time of the conversation, HARRELL learned ORR was preparing for Troop A promotional boards.

HARRELL told HOLT the conversation was general regarding multiple subject matter areas on which ORR should focus his studies, and guidance about the nature of the promotional process overall. No specific information about the testing was requested by ORR nor given by HARRELL during the conversation. There were no subsequent conversations between HARRELL and ORR in person or via any other means at any time about any aspect of promotions. HARRELL said they did not ever speak about the Troop R command, which is ORR'S current assignment. ORR failed to make the cut for the Troop A promotion.